

REMARKS

I. Status of Claims

Claims 18 and 20-38 are pending in the application. Claims 37-38 are newly added. Support for these additional limitations can at least be found in FIGS. 1-3 and 4a-b, the previously submitted listings of claims, and paragraph [0025] of the application as published.

Claims 18 and 37-38 are independent. Claims 18 and 20 are currently amended, while claim 19 is canceled without prejudice to and/or disclaimer of the subject matter therein.

Claim 18 stands rejected under 35 USC 102(b) as allegedly being anticipated by USP 5,193,635 to Mizuno et al. ("Mizuno").

The Applicant respectfully submits that this application is in condition for allowance and notice acknowledging the same is respectfully requested.

II. Allowable Subject Matter

The Office Action objected to claims 19-36 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

III. Applicant's Statement of Substance of Examiner Interviews

In compliance with M.P.E.P. 713.04, the Applicant provides this Statement of Substance of Interview concerning the telephonic interviews conducted on May 14th and June 5th, 2008 with Examiner Collado.

(A) Exhibits. N/A.

(B) Claims. 18, 37, and 38.

(C) References Discussed. None.

(D) Amendments. Amending claim 18 to include language of objected to claim 19 and adding new claims 37 and 38.

(E) Principal arguments of Applicant. Claim 18 is patentable since it has been amended to include objected to subject matter (claim 37 is patentable for the same reasons). Claim 38 is allowable since it requires that a hydrogen gas tank be disposed outside the vehicle passenger

room.

(F) Other matters. None.

(G) Results. Agreement was not reached. Examiner Collado indicated that a formal response should be submitted since claim 38 would include a further search and/or consideration.

IV. Pending Claims

i. Claim 18

Claim 18 stands rejected under 35 USC 102(b) as allegedly being anticipated by Mizuno.

The Applicant respectfully submits that claim 18 is amended to include all of the limitations of objected to claim 19.

Therefore, for at least this reason, the Applicant respectfully submits that claim 18 and its dependent claims are patentable over the cited references.

ii. Claim 37

The Applicant respectfully submits that newly added claim 37 recites, “wherein the floor panel has a recess portion...and the fuel cell is disposed in the recess portion.” Since this language generally tracks the language of objected to claim 19, the Applicant respectfully submits that newly added claim 37 is allowable over the cited references for the same reasons claim 19 was previously indicated allowable by the Office Action.

iii. Claim 38

The Applicant respectfully submits that claim 38 is patentable over the cited references at least because it recites, “a hydrogen gas tank which is disposed outside of the vehicle passenger room, and which stores the hydrogen gas to be supplied to the fuel cell.” As seen in FIG. 2 of Mizuno, if the fuel cell of Mizuno is located within the passenger compartment as alleged in the Office Action, in contrast to the Applicant’s claims, the fuel tank 31 of Mizuno is also disposed within the passenger compartment. The Applicant’s respectfully submit that claim 38 requires that the hydrogen gas tank is disposed outside the vehicle passenger room. It is respectfully submitted that Mizuno does not show such an arrangement.

Accordingly, for at least this reason, the Applicant respectfully submits that claim 38 is

patentable over the cited references.

V. Conclusion

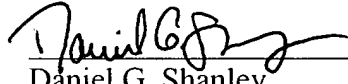
In light of the above discussion, the Applicant respectfully submits that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

The Examiner is invited to contact the undersigned at (202) 220-4420 to discuss any matter concerning this application. The Office is authorized to charge any fees related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,

Dated: June 16, 2008

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